

## REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-15 are pending and stand rejected.

Although the Office Action Summary indicates claim 3 is objected to, this appears to be in error, as claim 3 is noted to be rejected under 35 USC 103.

Claims 1, 3, 7 and 10 have been amended.

Claims 1-2, 4, 6, and 10-13 stand rejected under 35 USC 103(a) as being unpatentable over Suzuki (USP no. 6, 815, 746) in view of Sugiyama (USP no. 6, 763, 120). Claim 5 stands rejected under 35 USC 103(a) as being unpatentable over Suzuki and Sugiyama and further in view of Bleim (USP no. 6, 370, 257). Claims 3 and 7-9 stand rejected under 35 USC 103(a) as being unpatentable over Suzuki and Sugiyama and further in view of Berndtsson (USP no. 7,004,400) or Kandel (USP no. 7,212,647). Claims 14-15 stand rejected under 35 USC 103(a) as being unpatentable over Suzuki in view of Sugiyama.

With regard to the rejection of claim 1-2, 4, 6, and 10-13 as being unpatentable over Suzuki in view of Sugiyama under 35 USC 103(a), applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, in order to advance the prosecution of this matter, independent claims 1, 7 and 10 have been amended to further recite the invention claimed. More specifically, the independent claims have been amended to recite that the sound generating means is held in place by a snap-action tabs and the circuit unit is held in place by a snap-action latching means. No new matter has been added. Support for the amendment may be found at least on page 4, lines 16-20 and page 8, lines 16-25.

Suzuki discloses a method of manufacturing a semiconductor device using an encapsulating means to retain semiconductor chips to a circuit board. The semiconductor chips are wire bonded to bus bars that are connected to peripheral bump electrodes 4.

Sugiyama discloses a speaker system including an insulating ring attached to a front surface of a diaphragm at its periphery and a pair of terminal pins supported on the insulating ring and protruding therefrom.

However, neither Suzuki nor Sugiyama discloses a mechanism to retain the semiconductor chips or the insulating ring in a holder that would form a device as is now recited in the independent claims.

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

In this case, a *prima facie* case of obviousness with regard to independent claims 1 and 10 has not been met as the combination of Suzuki and Sugiyama fails to disclose a material element recited in the claims.

With regard to the remaining claims these claims dependent from one of the independent claims and, hence, are also not rendered obvious by the cited references by virtue of their dependency upon an allowable base claim.

With regard to the rejection of claim 5 being unpatentable over Suzuki and Sugiyama and further in view of Bleim under 35 USC 103(a), applicant respectfully disagrees. Claim 5 depends from claim 1, which has been shown to include subject matter not disclosed by the combination of Suzuki and Sugiyama. Bleim is recited for teaching that the circuit unit may be removed without a tool. However, in reviewing the Bleim reference, it has been found that Bleim discloses a press-fit for mounting a mating contact element and fails to teach a snap-fit latching mechanism, as is recited in independent claim 1.

Hence, contrary to the assertion recited by the Office Action, the combination of Suzuki, Sugiyama and Bleim fails to disclose all the elements recited in the independent claims and, consequently, dependent claim 5.

With regard to the rejection of claims 3 and 7-9 as being unpatentable over Suzuki and Sugiyam and further in view of Berndtsson or Kandel under 35 USC 013(a), applicant respectfully disagrees. Claim 3 depends from claim 1, which has been shown to include subject matter not disclosed by Suzuki and Sugiyam. Neither Berndtsson nor Kandel provide any teaching with regard to a means for attaching either the sound generating means or the circuit unit.

Accordingly, claim 3 is not rendered obvious by the combination of the cited references as the combination of the cited references fails to recite all the elements recited in the independent claim 1 and, consequently, dependent claim 3.

With regard to the rejection of independent claim 7, this claim has been amended in a manner similar to that made with regard to claims 1 and 10 and, hence, is not rendered obvious for the same remarks made with regard to claim 1.

With regard to the rejection of claims 14-15 as being unpatentable over Suzuki in view of Sugiyama under 35 USC 103(a), applicant submits that these claims depend from claim 10, which has been shown to include subject matter not disclosed by Suzuki and Sugiyama. Accordingly, claims 14 and 15 are also not rendered obvious as least for their dependency upon an allowable base claim.


For the amendments to the claims and for the remarks made herein, applicant submits that the reason for the rejection of the claims has been overcome and applicant respectfully requests that the rejection of the claims be withdrawn.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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